

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

July 20, 2009, Continued

- C060353 THE PEOPLE v. (Not For Publication)**
DERWIN LAMONT HILLMON
The judgment is affirmed.
RAYE, J.
We Concur: Scotland, P.J.
Hull, J.
- C060563 THE PEOPLE v. (Not For Publication)**
ERIC JEFFREY BURLEIGH
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Hull, J.
Robie, J.
- C060942 THE PEOPLE v. (Not For Publication)**
MICHAEL JACOB RICHARD SCHLOSSER
The judgment is affirmed.
HULL, J.
We Concur: Scotland, P.J.
Robie, J.
- C053893 RIDGEWOOD ASSOCIATES, INC. et al. (Not For Publication)**
v. EISEMAN et al.
The judgment is affirmed. Costs on appeal are awarded to respondents.
(Cal. Rules of Court, rule 8.278 (a) .)
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
Nicholson, J.
- C058472 PLACER COUNTY SHERIFF v. (Not For Publication)**
FRIENDS OF AUBURN/TAHOE
VISTA-PLACER COUNTY ANIMAL
SHELTER, INC.
The judgment is affirmed. Placer shall recover costs on appeal.
RAYE, J.
We Concur: Scotland, P.J.
Sims, J.
- C057945 THE PEOPLE v. TORIBIO VILLA DANIELS**
BY THE COURT:
Appellant's petition for rehearing is denied.
ROBIE, Acting P.J.

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July 21, 2009

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Nicholson, Associate Justice; Cantil-Sakauye, Associate Justice; and Horner, bailiff.

C059227 TRACY FIRST v. CITY OF TRACY; WINCO FOODS

Cause called. Steven A. Herum argued and Natalie M. Weber appeared only for appellant. Sarah E. Owsowitz argued for real party in interest City of Tracy and appellant. Andrew B. Sabey argued for real party in interest Winco Foods and appellant. Rick Jarvis appeared only for respondent. Cause submitted.

At 10:10 a.m., the court recessed. At 10:11 a.m., the court reconvened with Blease, Associate Justice; Sims, Associate Justice; and Nicholson, Associate Justice.

C055923 THE PEOPLE v. REYNALDO SANTOS DUNGO

Cause called. Ann Hopkins, court appointed counsel, argued for appellant. Daniel B. Bernstein, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:49 a.m., the court recessed. At 2:00 p.m., the court reconvened with Blease, Associate Justice; Sims, Associate Justice; and Butz, Associate Justice.

C059702 THE PEOPLE v. LAURENCE EUGENE WILLIAMS

Cause called. Allen G. Weinberg, court appointed counsel, argued for appellant. Joseph M. Cook, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:29 p.m., the court recessed. At 2:31 p.m., the court reconvened with Blease, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

C058200 THE PEOPLE v. MICHEALLE MARIE KING

Cause called. Erin Radekin argued for appellant. Galen N. Farris, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:55 p.m., the court recessed. At 2:57 p.m., the court reconvened with Raye, Associate Justice; Hull, Associate Justice; and Robie, Associate Justice.

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Court Minutes

July 21, 2009, Continued

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| C059728 | THE PEOPLE v. KENNETH GREEN
The trial court judgment is affirmed.
SIMS, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J. | (Not For Publication) |
| C060026 | THE PEOPLE v.
JERRY LEE ENGLISH
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Nicholson, J.
Cantil-Sakauye, J. | (Not For Publication) |
| C060450 | THE PEOPLE v.
PETER LUCIANNO CURBELLO
The judgment is affirmed.
NICHOLSON, J.
We Concur: Blease, Acting P.J.
Cantil-Sakauye, J. | (Not For Publication) |
| C057603 | Conservatorship of Person and Estate of
DOUGLAS N.; LINDA H., as Conservator,
etc. v. ZILAFF, as Public Guardian, etc.;
DOUGLAS N.
The order is affirmed.
SIMS, J.
We Concur: Blease, Acting P.J.
Nicholson, J. | (Not For Publication) |
| C058274 | In re H.G.; SACRAMENTO COUNTY
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. S.G. et al.
The orders of the juvenile court are affirmed.
NICHOLSON, J.
We Concur: Scotland, P.J.
Sims, J. | (Not For Publication) |

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July 21, 2009, Continued

C060028 **In re A.A. at al.; SACRAMENTO COUNTY
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. ANGELA A.** **(Not For Publication)**

The order is affirmed.

HULL, J.

We Concur: Blease, Acting P.J.
 Butz, J.

July 22, 2009

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Blease, Associate Justice; Butz, Associate Justice; and Haskett, bailiff.

C057422 **THE PEOPLE v. JAYMIE SKESLIEN**

Cause called. Syda Kosofsky, court appointed counsel, argued for appellant. Janet E. Neeley, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:46 a.m., the court recessed. At 9:46 a.m., the court reconvened.

C057260 **D.D. v. THE ROMAN CATHOLIC BISHOP OF STOCKTON et al.**

Cause called. Vince William Finaldi argued for appellant. Devin Storey argued for amicus. Gary A. Watt argued and Paul N. Balestracci appeared only for respondents. Cause submitted.

At 10:17 a.m., the court recessed. At 10:17 a.m., the court reconvened.

C057895 **L.A. v. THE ROMAN CATHOLIC BISHOP OF STOCKTON et al.**

Cause called. Vince William Finaldi argued for appellant. Devin Storey argued for amicus. Paul E. Gaspari argued and Alison M. Crane appeared only for respondents. Cause submitted.

At 10:36 a.m., the court recessed. At 10:40 a.m., the court reconvened with Scotland, Presiding Justice; Raye, Associate Justice; and Butz, Associate Justice.

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July 22, 2009, Continued

- C059860 THE PEOPLE v. (Not For Publication)**
GEORGE HENRY ABROTT
The appeal is dismissed.
BLEASE, Acting P.J.
We Concur: Robie, J.
Butz, J.
- C060149 THE PEOPLE v. ABEL CAZARES (Not For Publication)**
Probation condition No. 10 is modified ...
As so modified, the judgment and order of probation is affirmed. The court is directed to amend its records to reflect this modification and to send copies of the appropriate documents to appellant and to the probation department.
SCOTLAND, P.J.
We Concur: Hull, J.
Robie, J.
- C061670 THE PEOPLE v. (Not For Publication)**
SUPERIOR COURT OF PLACER COUNTY;
DANAE LORA LOBATO
Having complied with the procedural requirements for issuance of a peremptory writ in the first instance, we are authorized to issue the peremptory writ forthwith.
(see *Palma v. U.S. Industrial Fasteners, Inc.* (1984) 36 Cal. 3d 171.)
Let a peremptory writ of mandate issue directing respondent superior court to vacate its order granting probation to defendant Danae Lobato upon a finding that defendant's offense of possessing a false compartment to store drugs in a nonviolent drug possession offense for purposes of Proposition 36. Respondent shall conduct further proceedings with this opinion, including resentencing defendant.
BLEASE, Acting P.J.
We Concur: Hull, J.
Butz, J.
- C056879 CARROLL, INC. v. JCW-CYPRESS (Not For Publication)**
HOME GROUP et al.
The trial court's August 24, 2007, "JUDGMENT BY COURT" ordering enforcement of the contractor's judgment against appellants is affirmed. Respondents Ross F. Carroll, Inc., shall recover its costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) – (2) .)
SIMS, Acting P.J.
We Concur: Raye, J.
Butz, J.

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July 22, 2009, Continued

- C058589 PAYTON v. LEDBETTER-PAYTON (Not For Publication)**
Page 7, item number 12 of the judgment is modified to provide that
"Respondent, Tammy Ledbetter shall attend counseling for one year from the
date she began counseling following the court's November 5, 2007 order." The
judgment is affirmed as modified. Father is awarded his costs on appeal. (Cal.
Rules of Court, rule 8.278 (a) (1), (3) .)
BLEASE, Acting J.
We Concur: Nicholson, J.
Hull, J.
- C059157 EAKER v. CAIN et al. (Not For Publication)**
The judgment is affirmed. Eaker shall recover her costs on appeal.
(Cal. Rules of Court, rule 8.278 (a) (1) & (2) .)
SIMS, Acting P.J.
We Concur: Nicholson, J.
Robie, J.
- C059705 In re T.W., JR. et al.; SAN JOAQUIN (Not For Publication)**
COUNTY HUMAN SERVICES AGENCY v.
T.W., SR.
The judgment (order denying reunification) is affirmed.
BLEASE, Acting P.J.
We Concur: Sims, J.
Nicholson, J.

July 23, 2009

- C059419 THE PEOPLE v. (Not For Publication)**
JOHNNY MACK COTTON
The judgment is modified to provide for 779 days of actual time custody
credit. (Pen. Code, § 2900.5.) The trial court is directed to prepare an amended
abstract of judgment reflecting the custody credit and accurately reflecting the
two-year sentence imposed and stayed on count two for robbery, and forward a
certified copy to the Department of Corrections and Rehabilitation.
HULL, J.
We Concur: Sims, Acting P.J.
Butz, J.

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Court Minutes

July 24, 2009

At 9:29 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Raye Associate Justice; Cantil-Sakauye, Associate Justice; and Harper, bailiff.

C056936 PODSIALDO v. WESTERN INSURANCE COMPANY et al.

Cause called. Lawrence N. Hensley argued for appellant. Peter M Rehon argued for respondent Bridge Bank. Michael McLaughlin argued and Kurt C. Faux appeared only for respondent Western Insurance Company et al. Cause submitted.

At 10:00 a.m., the court recessed. At 10:02 a.m., the court reconvened with Raye, Associate Justice; Butz, Associate Justice; and Cantil-Sakauye, Associate Justice.

C058939 In re R.D.; THE PEOPLE v. R.D.

Cause called. Randall Conner, court appointed counsel, argued for appellant. Craig S. Meyers, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:30 a.m., the court recessed until 9:30 a.m., Monday, July 27, 2009.